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HUSCH BLACKWELL SANDERS LLP			COLE, ELIZABETH M	
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Suite 600			ART UNIT	PAPER NUMBER
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROY L. HOOD and GARY L. NOEDEL

Appeal 2009-014331
Application 10/814,679
Technology Center 1700

Mailed: August 11, 2010

Before MERRELL C. CASHION, JR., Case Management Administrator

ORDER WITHDRAWING REMAND

On January 25, 2010, this application was remanded in an order to the Examiner to address issues related to the Appeal Brief entered December 12, 2008. As of March 30, 2010, “[t]he United States Patent and Trademark Office (USPTO) [has streamlined] the procedure for the review of appeal briefs to increase the efficiency of the appeal process and reduce pendency of appeals.” 75 Fed. Reg. 15689, 15689 (March 30, 2010). As of the same date, “[t]he Chief Judge of the Board of Patent Appeals and Interferences (BPAI) or his designee (collectively,

“Chief Judge”), [has] the sole responsibility for determining whether appeal briefs filed in patent applications comply with the applicable regulations...” *Id.*

Under this authority, the Appeal Brief filed December 12, 2008, has been reviewed under the newly established streamlined procedure and found to be acceptable for assignment to a merits panel. The outstanding issue is referred to the panel for consideration.

Accordingly, the remand of January 25, 2010 is hereby withdrawn and the appeal is forwarded to a panel for decision.

M. Cashion
Case Management Administrator
Board of Patent Appeals and Interferences
571-272-9797

MC/saw

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